



Atty. Dkt. No. 023971-0287

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Masaaki ASHIDA et al.  
Title: ENGINE EXHAUST APPARATUS  
Appl. No.: 10/609,632  
Filing Date: 07/01/2003  
Examiner: Unassigned  
Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

#### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

#### **RELEVANCE OF EACH DOCUMENT**

The foregoing documents came to Applicants' attention during a search of the corresponding European application. A copy of the European Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

English translations of the foreign-language documents are not readily available. However, the absence of such translations does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). English language abstracts are provided herewith.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a

check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 1, 2003

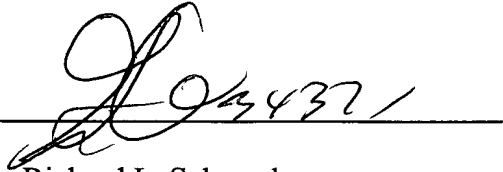
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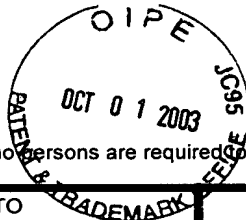
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By

A handwritten signature in dark ink, appearing to read 'R. Schwaab', is written over a horizontal line.

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MODIFIED PTO/SB/08 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
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Substitute for form 1449B/PTO  
**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: October 1, 2003  
(use as many sheets as necessary)

**Complete if Known**

Application Number	10/609,632
Filing Date	07/01/2003
First Named Inventor	Masaaki ASHIDA
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	023971-0287

Sheet 1 of 1

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	B1	4,420,933		KAJITANI ET AL.	12/20/1983	
	B2	6,082,103		SUGIURA ET AL.	07/04/2000	
	B3	5,787,709		WATANABE ET AL.	08/04/1998	
	B4	4,151,715		TACHIBANA ET AL.	05/01/1979	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	B5	DE	41 27 633	A1	BAYERISCHE MOTOREN WERKE AG	02/25/1993		Abstract
	B6	DE	199 38 689	A1	VOLKSWAGENWERK AG	02/15/2001		Abstract
	B7	FR	2 663 986	A1	PEUGEOT, ET AL.	01/03/1992		Abstract
	B8	EP	0 313 922	A1	BAYERISCHE MOTOREN WERKE AG	05/03/1989		Abstract
	B9	EP	0 818 616	A1	KABUSHIKI KAISHA YUTAKA GIKEN	01/14/1998		Abstract

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	B10	Patent Abstracts of Japan, Vol. 1997, No. 09, 30 September 1997, JP 09-125947, 13 May 1997.	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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